



29 support organizations to particular museums and  
 30 programs; deleting provisions authorizing direct-  
 31 support organizations to enter into certain contracts  
 32 or agreements; clarifying provisions prohibiting  
 33 specified entities from receiving commissions, fees,  
 34 or financial benefits in connection with the sale or  
 35 exchange of real property and historical objects;  
 36 providing for the termination of agreements between  
 37 the department and direct-support organizations;  
 38 providing for the distribution of certain assets;  
 39 deleting provisions requiring the department to  
 40 establish certain procedures relating to museum  
 41 artifacts and records; amending s. 576.051, F.S.;  
 42 authorizing the department to establish certain  
 43 criteria for fertilizer sampling and analysis;  
 44 amending s. 576.061, F.S.; requiring the department to  
 45 adopt rules establishing certain investigational  
 46 allowances for fertilizer deficiencies; providing a  
 47 date by which such allowances are effective and other  
 48 allowances are repealed; amending s. 576.181, F.S.;  
 49 revising the department's authority to adopt rules  
 50 establishing certain criteria for fertilizer analysis;  
 51 amending s. 585.61, F.S.; deleting provisions for the  
 52 establishment of an animal disease diagnostic  
 53 laboratory in Suwannee County; amending s. 586.10,  
 54 F.S.; authorizing apiary inspectors to be certified  
 55 beekeepers under certain conditions; amending s.  
 56 589.02, F.S.; deleting annual and special meeting

57 requirements for the Florida Forestry Council;  
58 amending s. 589.19, F.S.; establishing the Operation  
59 Outdoor Freedom Program within the Florida Forest  
60 Service to replace provisions for the designation of  
61 specified hunt areas in state forests for wounded  
62 veterans and servicemembers; providing purpose and  
63 intent of the program; providing eligibility  
64 requirements for program participation; providing  
65 exceptions from eligibility requirements for certain  
66 activities; providing for deposit and use of funds  
67 donated to the program; limiting the liability of  
68 private landowners who provide land for designation as  
69 hunting sites for purposes of the program; amending s.  
70 589.30, F.S.; revising references to certain Florida  
71 Forest Service personnel titles; amending s. 590.02,  
72 F.S.; authorizing the Florida Forest Service to allow  
73 certain types of burning; specifying that sovereign  
74 immunity applies to certain planning level activities;  
75 deleting provisions relating to the composition and  
76 duties of the Florida Forest Training Center advisory  
77 council; prohibiting government entities from banning  
78 certain types of burning; authorizing the service to  
79 delegate authority to special districts to manage  
80 certain types of burning; revising such authority  
81 delegated to counties and municipalities; amending s.  
82 590.11, F.S.; revising the prohibition on leaving  
83 certain recreational fires unattended, to which  
84 penalties apply; amending s. 590.125, F.S.; revising

85 | and providing definitions relating to open burning  
 86 | authorized by the Florida Forest Service; revising  
 87 | requirements for noncertified and certified burning;  
 88 | limiting the liability of the service and certain  
 89 | persons related to certain burns; amending s. 590.25,  
 90 | F.S.; revising provisions relating to criminal  
 91 | penalties for obstructing the prevention, detection,  
 92 | or suppression of wildfires; creating chapter 595,  
 93 | F.S., to establish the Florida School Food and  
 94 | Nutrition Act; creating s. 595.401, F.S.; providing a  
 95 | short title; creating s. 595.402, F.S.; providing  
 96 | definitions; creating s. 595.403, F.S.; declaring  
 97 | state policy relating to school food and nutrition  
 98 | services; transferring, renumbering, and amending ss.  
 99 | 570.98 and 570.981, F.S., relating to school food and  
 100 | nutrition services and the Florida Farm Fresh Schools  
 101 | Program; revising the department's duties and  
 102 | responsibilities for administering such services and  
 103 | program; revising requirements for school districts  
 104 | and sponsors; transferring, renumbering, and amending  
 105 | s. 570.982, F.S., relating to the children's summer  
 106 | nutrition program; clarifying provisions; creating s.  
 107 | 595.408, F.S.; authorizing the department to conduct,  
 108 | supervise, and administer commodity distribution  
 109 | services relating to school food and nutrition  
 110 | services; creating s. 595.501, F.S.; providing certain  
 111 | penalties; transferring, renumbering, and amending s.  
 112 | 570.983, relating to the Food and Nutrition Services

113 Trust Fund; conforming a cross-reference; transferring  
 114 and renumbering s. 570.984, F.S., relating to the  
 115 Healthy Schools for Healthy Lives Council; amending s.  
 116 1001.42, F.S.; requiring district school boards to  
 117 perform duties relating to school lunch programs as  
 118 required by the department's rules; amending s.  
 119 1003.453, F.S.; deleting an obsolete provision;  
 120 requiring school districts to submit certain policies  
 121 to the Department of Agriculture and Consumer Services  
 122 and the Department of Education; repealing ss.  
 123 487.0615, 570.382, 570.97, and 590.50, F.S., relating  
 124 to the Pesticide Review Council, Arabian horse racing  
 125 and the Arabian Horse Council, the Gertrude Maxwell  
 126 Save a Pet Direct-Support Organization, and permits  
 127 for the sale of cypress products, respectively;  
 128 amending ss. 487.041, 550.2625, and 550.2633, F.S.;  
 129 conforming provisions; providing for the disbursement  
 130 of specified funds; providing an effective date.

131  
 132 Be It Enacted by the Legislature of the State of Florida:  
 133

134 Section 1. Paragraph (f) of subsection (5) of section  
 135 253.034, Florida Statutes, is amended to read:

136 253.034 State-owned lands; uses.—

137 (5) Each manager of conservation lands shall submit to the  
 138 Division of State Lands a land management plan at least every 10  
 139 years in a form and manner prescribed by rule by the board and  
 140 in accordance with the provisions of s. 259.032. Each manager of

141 conservation lands shall also update a land management plan  
 142 whenever the manager proposes to add new facilities or make  
 143 substantive land use or management changes that were not  
 144 addressed in the approved plan, or within 1 year of the addition  
 145 of significant new lands. Each manager of nonconservation lands  
 146 shall submit to the Division of State Lands a land use plan at  
 147 least every 10 years in a form and manner prescribed by rule by  
 148 the board. The division shall review each plan for compliance  
 149 with the requirements of this subsection and the requirements of  
 150 the rules established by the board pursuant to this section. All  
 151 land use plans, whether for single-use or multiple-use  
 152 properties, shall include an analysis of the property to  
 153 determine if any significant natural or cultural resources are  
 154 located on the property. Such resources include archaeological  
 155 and historic sites, state and federally listed plant and animal  
 156 species, and imperiled natural communities and unique natural  
 157 features. If such resources occur on the property, the manager  
 158 shall consult with the Division of State Lands and other  
 159 appropriate agencies to develop management strategies to protect  
 160 such resources. Land use plans shall also provide for the  
 161 control of invasive nonnative plants and conservation of soil  
 162 and water resources, including a description of how the manager  
 163 plans to control and prevent soil erosion and soil or water  
 164 contamination. Land use plans submitted by a manager shall  
 165 include reference to appropriate statutory authority for such  
 166 use or uses and shall conform to the appropriate policies and  
 167 guidelines of the state land management plan. Plans for managed  
 168 areas larger than 1,000 acres shall contain an analysis of the

169 multiple-use potential of the property, which analysis shall  
 170 include the potential of the property to generate revenues to  
 171 enhance the management of the property. Additionally, the plan  
 172 shall contain an analysis of the potential use of private land  
 173 managers to facilitate the restoration or management of these  
 174 lands. In those cases where a newly acquired property has a  
 175 valid conservation plan that was developed by a soil and  
 176 conservation district, such plan shall be used to guide  
 177 management of the property until a formal land use plan is  
 178 completed.

179 (f) In developing land management plans, at least one  
 180 public hearing shall be held in any one ~~each~~ affected county.

181 Section 2. Subsection (2) of section 388.261, Florida  
 182 Statutes, is amended to read:

183 388.261 State aid to counties and districts for arthropod  
 184 control; distribution priorities and limitations.—

185 (2) Every county or district budgeting local funds to be  
 186 used exclusively for the control of mosquitoes and other  
 187 arthropods, under a plan submitted by the county or district and  
 188 approved by the department, is ~~shall be~~ eligible to receive  
 189 state funds and supplies, services, and equipment on a dollar-  
 190 for-dollar matching basis to the amount of local funds budgeted.  
 191 If ~~Should~~ state funds appropriated by the Legislature are ~~be~~  
 192 insufficient to grant each county or district state funds on a  
 193 dollar-for-dollar matching basis to the amount budgeted in local  
 194 funds, the department shall distribute the funds as prescribed  
 195 by rule. Such rules shall provide for up to 80 percent of the  
 196 funds to be distributed to programs with local funds for

197 mosquito control budgets of less than \$1 million, if the county  
 198 or district meets the eligibility requirements. The funds shall  
 199 be distributed as equally as possible within the category of  
 200 counties pursuant to this section. The remaining funds shall be  
 201 distributed as prescribed by rule among the remaining counties  
 202 to support mosquito control and to support research, education,  
 203 and outreach ~~prorate said state funds based on the amount of~~  
 204 ~~matchable local funds budgeted for expenditure by each county or~~  
 205 ~~district.~~

206 Section 3. Subsection (1) of section 388.271, Florida  
 207 Statutes, is amended to read:

208 388.271 Prerequisites to participation.—

209 (1) When state funds are involved, it is the duty of the  
 210 department to guide, review, approve, and coordinate the  
 211 activities of all county governments and special districts  
 212 receiving state funds in furtherance of the goal of integrated  
 213 arthropod control. Each county or district eligible to  
 214 participate hereunder may begin participation on October 1 of  
 215 any year by filing with the department not later than July 15 a  
 216 tentative work plan and tentative detailed work plan budget  
 217 providing for the control of arthropods. Following approval of  
 218 the plan and budget by the department, two copies of the  
 219 county's or district's certified budget based on the approved  
 220 work plan and detailed work plan budget shall be submitted to  
 221 the department by ~~not later than~~ September 30 ~~15~~ following.  
 222 State funds, supplies, and services shall be made available to  
 223 such county or district by and through the department  
 224 immediately upon release of funds by the Executive Office of the

225 Governor.

226 Section 4. Section 487.160, Florida Statutes, is amended  
 227 to read:

228 487.160 ~~Records; report.~~—Licensed private applicators  
 229 supervising 15 or more unlicensed applicators or mixer-loaders  
 230 and licensed public applicators and licensed commercial  
 231 applicators shall maintain records as the department may  
 232 determine by rule with respect to the application of restricted  
 233 pesticides, including, but not limited to, the type and quantity  
 234 of pesticide, method of application, crop treated, and dates and  
 235 location of application. Other licensed private applicators  
 236 shall maintain records as the department may determine by rule  
 237 with respect to the date, type, and quantity of restricted-use  
 238 pesticides used. Licensees shall keep records for a period of 2  
 239 years from date of the application of the pesticide to which the  
 240 records refer, and shall furnish to the department a copy of the  
 241 records upon written request by the department. ~~Every third~~  
 242 ~~year, the department shall conduct a survey and compile a report~~  
 243 ~~on restricted-use pesticides in this state. This report shall~~  
 244 ~~include, but not be limited to, types and quantities of~~  
 245 ~~pesticides, methods of application, crops treated, and dates and~~  
 246 ~~locations of application; records of persons working under~~  
 247 ~~direct supervision; and reports of misuse, damage, or injury.~~

248 Section 5. Section 534.083, Florida Statutes, is amended  
 249 to read:

250 534.083 Livestock hauler's ~~permit; display of permit on~~  
 251 ~~vehicle; bill of lading.~~—

252 ~~(1) No person shall engage in the business of transporting~~

253 | ~~or hauling for hire livestock on any street or highway, as~~  
 254 | ~~defined in s. 316.003(53), without first having applied for and~~  
 255 | ~~obtained from the department a permit which shall expire on~~  
 256 | ~~December 31 of each year. The information supplied by the~~  
 257 | ~~applicant on the application for permit shall be certified under~~  
 258 | ~~oath. Cost of the permit shall be \$5 for each year or fraction~~  
 259 | ~~thereof.~~

260 |       ~~(2) The department shall issue a metal tag or plate to~~  
 261 | ~~every person or company required to obtain a permit to transport~~  
 262 | ~~or haul for hire livestock, which shall bear the serial number~~  
 263 | ~~of the permit. Such a tag or plate shall be issued for each~~  
 264 | ~~vehicle used by the hauler.~~

265 |       ~~(3) The metal tag or plate required under this section~~  
 266 | ~~shall be attached to each vehicle used for transporting or~~  
 267 | ~~hauling livestock in a conspicuous place in an upright position~~  
 268 | ~~on the rear of the vehicle. When livestock is transported in a~~  
 269 | ~~trailer type vehicle propelled or drawn by a motor truck or~~  
 270 | ~~tractor, each such trailer shall have the tag or plate attached~~  
 271 | ~~to the rear of the trailer in a conspicuous place in an upright~~  
 272 | ~~position, and it shall not be necessary to have a tag attached~~  
 273 | ~~to the motor truck or tractor.~~

274 |       (4) Persons engaged in the business of transporting or  
 275 | hauling livestock in the state shall, upon receiving such  
 276 | livestock for transportation, issue a waybill or bill of lading  
 277 | for all livestock transported or hauled by them, and such  
 278 | waybill or bill of lading shall accompany the shipment of  
 279 | livestock, with a copy thereof being furnished to the person  
 280 | delivering livestock to the hauler. The waybill or bill of

281 lading shall show the place of origin and destination of the  
 282 shipment, the name of the owner of the livestock, date and time  
 283 of loading, name of person or company hauling the livestock, and  
 284 the number of animals and a general description thereof. The  
 285 waybill or bill of lading shall be signed by the person  
 286 delivering the livestock to the hauler certifying that the  
 287 information contained thereon is correct.

288 Section 6. Subsection (28) of section 570.07, Florida  
 289 Statutes, is amended to read:

290 570.07 Department of Agriculture and Consumer Services;  
 291 functions, powers, and duties.—The department shall have and  
 292 exercise the following functions, powers, and duties:

293 (28) For purposes of pollution control and the prevention  
 294 of wildfires, to regulate open burning connected with pile  
 295 burning as defined in s. 590.125(1) ~~land-clearing~~, agricultural,  
 296 or forestry operations.

297 Section 7. Section 570.64, Florida Statutes, is created to  
 298 read:

299 570.64 Division of Food, Nutrition, and Wellness.—

300 (1) The duties of the Division of Food, Nutrition, and  
 301 Wellness include, but are not limited to, administering and  
 302 enforcing the powers and responsibilities of the division  
 303 prescribed in chapter 595 and the rules adopted thereunder.

304 (2) The director of the division shall be appointed by,  
 305 and serve at the pleasure of, the commissioner. The director  
 306 shall supervise, direct, and coordinate activities of the  
 307 division, exercise such powers and duties as authorized by the  
 308 commissioner, enforce the provisions of chapter 595 and the

309 rules adopted thereunder, and any other powers and duties as  
 310 authorized by the department.

311 Section 8. Section 570.902, Florida Statutes, is amended  
 312 to read:

313 570.902 Definitions; ss. 570.902 and 570.903.—For the  
 314 purpose of this section ~~ss. 570.902~~ and s. 570.903:

315 (1) "Designated program" means the ~~specific~~ departmental  
 316 program which a direct-support organization has been created to  
 317 support.

318 (2) "Direct-support organization" or "organization" means  
 319 an organization which is a Florida corporation not for profit  
 320 incorporated under the provisions of chapter 617 and approved by  
 321 the department to operate for the benefit of a museum or a  
 322 ~~specific departmental~~ program.

323 (3) "Museum" means the Florida Agricultural Museum which  
 324 is designated as the museum for agriculture and rural history of  
 325 the State of Florida.

326 Section 9. Section 570.903, Florida Statutes, is amended  
 327 to read:

328 570.903 Direct-support organization.—

329 (1) The department may authorize ~~When the Legislature~~  
 330 ~~authorizes~~ the establishment of a direct-support organizations  
 331 ~~organization~~ to provide assistance, funding, and promotional  
 332 support for the museums, ~~the Florida Agriculture in the~~  
 333 ~~Classroom Program, the Florida State Collection of Arthropods,~~  
 334 ~~the Friends of the Florida State Forests Program of the Florida~~  
 335 ~~Forest Service, the Forestry Arson Alert Program,~~ and other  
 336 programs of the department. 7 The following provisions shall

337 govern the creation, use, powers, and duties of the direct-  
 338 support organizations ~~organization~~:

339 (a) The department shall enter into a memorandum or letter  
 340 of agreement with the direct-support organization, which shall  
 341 specify the approval of the department, the powers and duties of  
 342 the direct-support organization, and rules with which the  
 343 direct-support organization must comply.

344 (b) The department may authorize ~~permit~~, without charge,  
 345 appropriate use of property, facilities, and personnel of the  
 346 department by the ~~a~~ direct-support organization, ~~subject to ss.~~  
 347 ~~570.902 and 570.903~~. The use shall be for ~~directly in keeping~~  
 348 ~~with~~ the approved purposes of the direct-support organization  
 349 and may not be made at times or places that would unreasonably  
 350 interfere with opportunities for the general public to use  
 351 department facilities ~~for established purposes~~.

352 (c) The department shall prescribe by agreement ~~contract~~  
 353 ~~or by rule~~ conditions with which the ~~a~~ direct-support  
 354 organization must comply in order to use property, facilities,  
 355 or personnel of the department ~~or museum~~. Such conditions ~~rules~~  
 356 shall provide for budget and audit review and oversight by the  
 357 department.

358 (d) The department may not authorize ~~permit~~ the use of  
 359 property, facilities, or personnel of the museum, department, or  
 360 designated program by the ~~a~~ direct-support organization that  
 361 does not provide equal employment opportunities to all persons  
 362 regardless of race, color, religion, sex, age, or national  
 363 origin.

364 (2) (a) The direct-support organization may ~~shall be~~

365 ~~empowered to~~ conduct programs and activities; raise funds;  
 366 request and receive grants, gifts, and bequests of money;  
 367 acquire, receive, hold, invest, and administer, in its own name,  
 368 securities, funds, objects of value, or other property, real or  
 369 personal; and make expenditures to or for the direct or indirect  
 370 benefit of the museum or designated program.

371 ~~(b) Notwithstanding the provisions of s. 287.057, the~~  
 372 ~~direct-support organization may enter into contracts or~~  
 373 ~~agreements with or without competitive bidding for the~~  
 374 ~~restoration of objects, historical buildings, and other~~  
 375 ~~historical materials or for the purchase of objects, historical~~  
 376 ~~buildings, and other historical materials which are to be added~~  
 377 ~~to the collections of the museum, or benefit the designated~~  
 378 ~~program. However, before the direct-support organization may~~  
 379 ~~enter into a contract or agreement without competitive bidding,~~  
 380 ~~the direct-support organization shall file a certification of~~  
 381 ~~conditions and circumstances with the internal auditor of the~~  
 382 ~~department justifying each contract or agreement.~~

383 (b)(e) Notwithstanding the provisions of s. 287.025(1)(e),  
 384 the direct-support organization may enter into contracts to  
 385 insure property of the museum or designated programs and may  
 386 insure objects or collections on loan from others in satisfying  
 387 security terms of the lender.

388 (3) The direct-support organization shall provide for an  
 389 annual financial audit in accordance with s. 215.981.

390 (4) A department employee, direct-support organization or  
 391 museum employee, volunteer, or director, or ~~Neither a designated~~  
 392 ~~program or a museum, nor a nonprofit corporation trustee or~~

393 ~~employee~~ may not:

394 (a) Receive a commission, fee, or financial benefit in  
 395 connection with the sale or exchange of real or personal  
 396 property or historical objects ~~or properties~~ to the direct-  
 397 support organization, the museum, or the designated program; or

398 (b) Be a business associate of any individual, firm, or  
 399 organization involved in the sale or exchange of real or  
 400 personal property to the direct-support organization, the  
 401 museum, or the designated program.

402 (5) All moneys received by the direct-support organization  
 403 shall be deposited into an account of the direct-support  
 404 organization and shall be used by the organization in a manner  
 405 consistent with the goals of the museum or designated program.

406 (6) The identity of a donor or prospective donor who  
 407 desires to remain anonymous and all information identifying such  
 408 donor or prospective donor are confidential and exempt from the  
 409 provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
 410 Constitution.

411 (7) The Commissioner of Agriculture, or the commissioner's  
 412 designee, may serve on the board of trustees and the executive  
 413 committee of any direct-support organization established to  
 414 benefit the museum or any designated program.

415 (8) The department may terminate its agreement with a  
 416 direct-support organization at any time if the department  
 417 determines that the direct-support organization no longer meets  
 418 the objectives of this section ~~The department shall establish by~~  
 419 ~~rule archival procedures relating to museum artifacts and~~  
 420 ~~records. The rules shall provide procedures which protect the~~

421 ~~museum's artifacts and records equivalent to those procedures~~  
 422 ~~which have been established by the Department of State under~~  
 423 ~~chapters 257 and 267.~~

424 (9) Upon termination of the direct-support organization,  
 425 the assets of the direct-support organization shall be  
 426 distributed pursuant to its articles of incorporation or by-laws  
 427 or, if not provided for, to the department.

428 Section 10. Subsection (3) of section 576.051, Florida  
 429 Statutes, is amended to read:

430 576.051 Inspection, sampling, analysis.—

431 (3) The official analysis shall be made from the official  
 432 sample. The department, before making the official analysis,  
 433 shall take a sufficient portion from the official sample for  
 434 check analysis and place that portion in a bottle sealed and  
 435 identified by number, date, and the preparer's initials. The  
 436 official check sample shall be kept until the analysis of the  
 437 official sample is completed. However, the licensee may obtain  
 438 upon request a portion of the official check sample. Upon  
 439 completion of the analysis of the official sample, a true copy  
 440 of the fertilizer analysis report shall be mailed to the  
 441 licensee of the fertilizer from whom the official sample was  
 442 taken and to the dealer or agent, if any, and purchaser, if  
 443 known. This fertilizer analysis report shall show all  
 444 determinations of plant nutrient and pesticides. If the official  
 445 analysis conforms with the provisions of this law, the official  
 446 check sample may be destroyed. If the official analysis does not  
 447 conform with the provisions of this law, the official check  
 448 sample shall be retained for a period of 90 days from the date

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449 of the fertilizer analysis report of the official sample. If  
450 within that time the licensee of the fertilizer from whom the  
451 official sample was taken, upon receipt of the fertilizer  
452 analysis report, makes written demand for analysis of the  
453 official check sample by a referee chemist, a portion of the  
454 official check sample sufficient for analysis shall be sent to a  
455 referee chemist who is mutually acceptable to the department and  
456 the licensee for analysis at the expense of the licensee. The  
457 referee chemist, upon completion of the analysis, shall forward  
458 to the department and to the licensee a fertilizer analysis  
459 report bearing a proper identification mark or number; and the  
460 fertilizer analysis report shall be verified by an affidavit of  
461 the person making the analysis. If the results reported on the  
462 fertilizer analysis report agree within the matching criteria  
463 defined in department rule ~~checks within three tenths of 1~~  
464 ~~actual percent~~ with the department's analysis on each element  
465 for which analysis was made, the mean average of the two  
466 analyses shall be accepted as final and binding on all  
467 concerned. However, if the referee's fertilizer analysis report  
468 results do not agree within the matching criteria defined in  
469 department rule with ~~shows a variation of greater than three~~  
470 ~~tenths of 1 actual percent from~~ the department's analysis in any  
471 one or more elements for which an analysis was made, upon demand  
472 of either the department or the licensee from whom the official  
473 sample was taken, a portion of the official check sample  
474 sufficient for analysis shall be submitted to a second referee  
475 chemist who is mutually acceptable to the department and to the  
476 licensee from whom the official sample was taken, at the expense

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

477 of the party or parties requesting the referee analysis. If no  
 478 demand is made for an analysis by a second referee chemist, the  
 479 department's fertilizer analysis report shall be accepted as  
 480 final and binding on all concerned. The second referee chemist,  
 481 upon completion of the analysis, shall make a fertilizer  
 482 analysis report as provided in this subsection for the first  
 483 referee chemist. The mean average of the two analyses nearest in  
 484 conformity to each other shall be accepted as final and binding  
 485 on all concerned.

486 Section 11. Subsection (1) of section 576.061, Florida  
 487 Statutes, is amended to read:

488 576.061 Plant nutrient investigational allowances,  
 489 deficiencies, and penalties.—

490 (1) A commercial fertilizer is deemed deficient if the  
 491 analysis of any nutrient is below the guarantee by an amount  
 492 exceeding the investigational allowances. The department shall  
 493 adopt rules, which shall take effect on July 1, 2014, that  
 494 establish the investigational allowances used to determine  
 495 whether a fertilizer is deficient in plant food.

496 (a) Effective July 1, 2014, this paragraph and paragraphs  
 497 (b)-(f) are repealed. Until July 1, 2014, investigational  
 498 allowances shall be are set as provided in paragraphs (b)-(f).  
 499 follows:

500 (b) ~~(a)~~ Primary plant nutrients; investigational  
 501 allowances.—

502

Guaranteed	Total	Available	Potash
Percent	Nitrogen	Phosphate	Percent

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	Percent	Percent	
503			
504			
505	04 or less	0.49	0.67 0.41
506	05	0.51	0.67 0.43
507	06	0.52	0.67 0.47
508	07	0.54	0.68 0.53
509	08	0.55	0.68 0.60
510	09	0.57	0.68 0.65
511	10	0.58	0.69 0.70
512	12	0.61	0.69 0.79
513	14	0.63	0.70 0.87
514	16	0.67	0.70 0.94
515	18	0.70	0.71 1.01
516	20	0.73	0.72 1.08

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517	22	0.75	0.72	1.15
518	24	0.78	0.73	1.21
519	26	0.81	0.73	1.27
520	28	0.83	0.74	1.33
521	30	0.86	0.75	1.39
522	32 or more	0.88	0.76	1.44

523 For guarantees not listed, calculate the appropriate value by  
 524 interpolation.

525 (c) ~~(b)~~ Nitrogen investigational allowances.-

526

Investigational Allowances

527	Nitrogen Breakdown	Percent
528	Nitrate nitrogen	0.40
529	Ammoniacal nitrogen	0.40
530	Water soluble nitrogen	
531	or urea nitrogen	0.40

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Water insoluble nitrogen 0.30

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In no case may the investigational allowance exceed 50 percent of the amount guaranteed.

(d)~~(e)~~ Secondary and micro plant nutrients, total or soluble.-

Element	Investigational Allowances Percent
---------	------------------------------------

Calcium	0.2 unit+5 percent of guarantee
Magnesium	0.2 unit+5 percent of guarantee
Sulfur (free and combined)	0.2 unit+5 percent of guarantee
Boron	0.003 unit+15 percent of guarantee
Cobalt	0.0001 unit+30 percent of guarantee
Chlorine	0.005 unit+10 percent of guarantee
Copper	0.005 unit+10 percent of guarantee
Iron	0.005 unit+10 percent of guarantee

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548 Manganese 0.005 unit+10 percent of guarantee  
 549 Molybdenum 0.0001 unit+30 percent of guarantee  
 550 Sodium 0.005 unit+10 percent of guarantee  
 551 Zinc 0.005 unit+10 percent of guarantee

552 The maximum allowance for secondary and minor elements when  
 553 calculated in accordance with this section is 1 unit (1  
 554 percent). In no case, however, may the investigational allowance  
 555 exceed 50 percent of the amount guaranteed.

556 (e)~~(d)~~ Liming materials and gypsum.-

Investigational Allowances

Range Percent	Percent
558 0-10	0.30
559 Over 10-25	0.40
560 Over 25	0.50

561  
 562  
 563 (f)~~(e)~~ Pesticides in fertilizer mixtures.-An  
 564 investigational allowance of 25 percent of the guarantee shall  
 565 be allowed on all pesticides when added to custom blend

566 fertilizers.

567 Section 12. Subsection (2) of section 576.181, Florida  
568 Statutes, is amended to read:

569 576.181 Administration; rules; procedure.—

570 (2) The department may adopt rules ~~is authorized, by rule,~~  
571 to implement, make specific, and interpret the provisions of  
572 this chapter, and specifically to determine the composition and  
573 uses of fertilizer as defined in this chapter, including, but  
574 not limited to ~~without limiting the foregoing general terms,~~ the  
575 taking and handling of samples, the establishment of  
576 investigational allowances, deficiencies, matching criteria for  
577 referee analysis, and penalties where not specifically provided  
578 for in this chapter; to prohibit the sale or use in fertilizer  
579 of any material proven to be detrimental to agriculture, public  
580 health, or the environment, or of questionable value; to provide  
581 for the incorporation into fertilizer of such other substances  
582 as pesticides and proper labeling of such mixture; and to  
583 prescribe the information which shall appear on the label other  
584 than specifically set forth in this chapter.

585 Section 13. Section 585.61, Florida Statutes, is amended  
586 to read:

587 585.61 Animal disease diagnostic laboratory ~~laboratories.~~—

588 (1) There is ~~hereby created and~~ established an animal  
589 disease diagnostic laboratory in Osceola County ~~and Suwannee~~  
590 ~~County. The laboratory complex in Osceola County is~~ designated  
591 as the "Bronson Animal Disease Diagnostic Laboratory."

592 (2) The construction and operation of ~~all~~ the laboratory  
593 ~~laboratories~~ established by this section shall be under the

594 supervision and control of the department. It shall be the duty  
 595 of the department to operate the laboratory ~~these laboratories~~  
 596 in an efficient manner so that any person who maintains animals  
 597 in this state may obtain prompt reliable diagnosis of animal  
 598 diseases, including any disease which may affect poultry eggs,  
 599 in this state, and recommendations for the control and  
 600 eradication of such diseases, to the end that diseases of  
 601 animals may be reduced and controlled, and eradicated when  
 602 possible.

603 (3) Any person who maintains animals in the state may use  
 604 the services of the laboratory ~~laboratories~~ under the terms of  
 605 this section and the rules adopted for such use by the  
 606 department. The department shall require any user of its  
 607 services to pay a fee not to exceed \$300 for any one of the  
 608 services requested. All laboratory fees collected shall be  
 609 deposited in the Animal Industry Diagnostic Laboratory Account  
 610 within the General Inspection Trust Fund. The fees collected  
 611 shall be used to improve the diagnostic laboratory services as  
 612 provided for by the Legislature in the General Appropriations  
 613 Act.

614 Section 14. Paragraph (f) of subsection (3) of section  
 615 586.10, Florida Statutes, is amended to read:

616 586.10 Powers and duties of department; preemption of  
 617 local government ordinances.—

618 (3) The department may:

619 (f) Inspect or cause to be inspected all apiaries in the  
 620 state at such intervals as it may deem best and keep a complete,  
 621 accurate, and current list of all inspected apiaries to include

622 the:

- 623 1. Name of the apiary.
- 624 2. Name of the owner of the apiary.
- 625 3. Mailing address of the apiary owner.
- 626 4. Location of the apiary.
- 627 5. Number of hives in the apiary.
- 628 6. Pest problems associated with the apiary.
- 629 7. Brands used by beekeepers where applicable.

630

631 Notwithstanding s. 112.313, an apiary inspector may be a  
 632 certified beekeeper as long as the inspector does not inspect  
 633 his or her own apiary.

634 Section 15. Section 589.02, Florida Statutes, is amended  
 635 to read:

636 589.02 Headquarters and meetings of council.—The official  
 637 headquarters of the council shall be in Tallahassee, but it may  
 638 hold meetings at such other places in the state as it may  
 639 determine by resolutions or as may be selected by a majority of  
 640 the members of the council in any call for a meeting. ~~The annual~~  
 641 ~~meeting of the council shall be held on the first Monday in~~  
 642 ~~October of each year. Special meetings may be called at any time~~  
 643 ~~by the chair or upon the written request of a majority of the~~  
 644 ~~members.~~ The council shall annually elect from its members a  
 645 chair, a vice chair, and a secretary. ~~The election shall be held~~  
 646 ~~at the annual meeting of the council.~~ A majority of the members  
 647 of the council shall constitute a quorum for such purposes.

648 Section 16. Subsection (4) of section 589.19, Florida  
 649 Statutes, is amended to read:

650           589.19   Creation of certain state forests; naming of  
651 certain state forests; Operation Outdoor Freedom Program.—

652           (4) (a)   To honor the nation's disabled veterans and injured  
653 active duty servicemembers, the Florida Forest Service shall  
654 coordinate efforts to develop an Operation Outdoor Freedom  
655 Program to provide hunting and other activities for eligible  
656 veterans and servicemembers in designated state forest areas and  
657 on designated public and private lands. The Legislature finds it  
658 to be in the public interest for the Florida Forest Service to  
659 develop partnerships with the Fish and Wildlife Conservation  
660 Commission and other public and private organizations in order  
661 to provide the needed resources and funding to make the program  
662 successful ~~The Florida Forest Service shall designate one or~~  
663 ~~more areas of state forests as an "Operation Outdoor Freedom~~  
664 ~~Special Hunt Area" to honor wounded veterans and servicemembers.~~  
665 ~~The purpose of such designated areas is to provide special~~  
666 ~~outdoor recreational opportunities for eligible veterans and~~  
667 ~~servicemembers.~~

668           (b)   Participation in the Operation Outdoor Freedom Program  
669 shall be limited to Florida residents, as defined in s.  
670 379.101(30) (b), ~~The Florida Forest Service shall limit guest~~  
671 ~~admittance to such designated areas to any person who:~~

672           1.   Are honorably discharged military veterans certified by  
673 the United States Department of Veterans Affairs or its  
674 predecessor or by any branch of the United States Armed Forces  
675 to be at least 30 percent permanently service-connected disabled  
676 ~~Is an active duty member of any branch of the United States~~  
677 ~~Armed Forces and has a combat related injury as determined by~~

678 ~~his or her branch of the United States Armed Forces; or~~  
 679       2. Have been awarded the Military Order of the Purple  
 680 Heart; or Is a veteran who served during a period of wartime  
 681 service as defined in s. 1.01(14) or peacetime service as  
 682 defined in s. 296.02 and:  
 683       a. ~~Has a service-connected disability as determined by the~~  
 684 ~~United States Department of Veterans Affairs; or~~  
 685       b. ~~Was discharged or released from military service~~  
 686 ~~because of a disability acquired or aggravated while serving on~~  
 687 ~~active duty~~  
 688       3. Are active duty servicemembers with a service-connected  
 689 injury as determined by his or her branch of the United States  
 690 Armed Forces.  
 691  
 692 Proof of eligibility under this subsection, as prescribed by the  
 693 Florida Forest Service, may be required.  
 694       (c) Notwithstanding the eligibility requirements for  
 695 program participation in paragraph (b), guided or unguided  
 696 invitation-only activities may be conducted as part of the  
 697 Operation Outdoor Freedom Program for injured or disabled  
 698 veterans and injured or disabled active duty servicemembers of  
 699 any branch of the United States Armed Forces in designated state  
 700 forest areas and on designated public and private lands. The  
 701 Florida Forest Service may grant admittance to ~~such~~ designated  
 702 areas and lands to a person who is not an eligible veteran or  
 703 servicemember for the sole purpose ~~purposes~~ of accompanying an  
 704 eligible veteran or servicemember who requires the person's  
 705 assistance to use such ~~designated~~ areas and lands.

706            (d) The Florida Forest Service may cooperate with state  
 707 and federal agencies, local governments, private landowners, and  
 708 other entities in connection with the Operation Outdoor Freedom  
 709 Program. Donations to the Operation Outdoor Freedom Program  
 710 Funding required for specialized accommodations shall be  
 711 deposited into the account of ~~provided through~~ the Friends of  
 712 Florida State Forests Program created under s. 589.012 and used  
 713 for Operation Outdoor Freedom Program activities.

714            (e)1. A private landowner who provides land for  
 715 designation and use as an Operation Outdoor Freedom Program  
 716 hunting site shall have limited liability pursuant to s.  
 717 375.251.

718            2. A private landowner who consents to the designation and  
 719 use of land as part of the Operation Outdoor Freedom Program  
 720 without compensation shall be considered a volunteer, as defined  
 721 in s. 110.501, and shall be covered by state liability  
 722 protection pursuant to s. 768.28, including s. 768.28(9).

723            3. This subsection does not:

724            a. Relieve any person of liability that would otherwise  
 725 exist for deliberate, willful, or malicious injury to persons or  
 726 property.

727            b. Create or increase the liability of any person.

728            (f) The Legislature shall designate the second Saturday of  
 729 each November as Operation Outdoor Freedom Day.

730            (g)~~(e)~~ The Florida Forest Service may adopt rules to  
 731 administer this subsection.

732            Section 17. Section 589.30, Florida Statutes, is amended  
 733 to read:

734           589.30 Duty of district or center manager ~~forester~~.—It  
 735 shall be the duty of the district or center manager ~~forester~~ to  
 736 direct all work in accordance with the law and regulations of  
 737 the Florida Forest Service; gather and disseminate information  
 738 in the management of commercial timber, including establishment,  
 739 protection and utilization; and assist in the development and  
 740 use of forest lands for outdoor recreation, watershed  
 741 protection, and wildlife habitat. The district or center manager  
 742 ~~forester~~ or his or her representative shall provide  
 743 encouragement and technical assistance to individuals and urban  
 744 and county officials in the planning, establishment, and  
 745 management of trees and plant associations to enhance the beauty  
 746 of the urban and suburban environment and meet outdoor  
 747 recreational needs.

748           Section 18. Subsections (1), (2), (3), (7), and (10) of  
 749 section 590.02, Florida Statutes, are amended to read:

750           590.02 Florida Forest Service; powers, authority, and  
 751 duties; liability; building structures; Florida Center for  
 752 Wildfire and Forest Resources Management Training.—

753           (1) The Florida Forest Service has the following powers,  
 754 authority, and duties:

755           (a) To enforce the provisions of this chapter;

756           (b) To prevent, detect, and suppress, ~~and extinguish~~  
 757 wildfires wherever they may occur on public or private land in  
 758 this state and to do all things necessary in the exercise of  
 759 such powers, authority, and duties;

760           (c) To provide firefighting crews, who shall be under the  
 761 control and direction of the Florida Forest Service and its

762 designated agents;

763 (d) To appoint center managers, forest area supervisors,  
 764 forestry program administrators, a forest protection bureau  
 765 chief, a forest protection assistant bureau chief, a field  
 766 operations bureau chief, deputy chiefs of field operations,  
 767 district managers, forest operations administrators, senior  
 768 forest rangers, investigators, forest rangers, firefighter  
 769 rotorcraft pilots, and other employees who may, at the Florida  
 770 Forest Service's discretion, be certified as forestry  
 771 firefighters pursuant to s. 633.35(4). Other provisions of law  
 772 notwithstanding, center managers, district managers, forest  
 773 protection assistant bureau chief, and deputy chiefs of field  
 774 operations shall have Selected Exempt Service status in the  
 775 state personnel designation;

776 (e) To develop a training curriculum for forestry  
 777 firefighters which must contain the basic volunteer structural  
 778 fire training course approved by the Florida State Fire College  
 779 of the Division of State Fire Marshal and a minimum of 250 hours  
 780 of wildfire training;

781 (f) To make rules to accomplish the purposes of this  
 782 chapter;

783 (g) To provide fire management services and emergency  
 784 response assistance and to set and charge reasonable fees for  
 785 performance of those services. Moneys collected from such fees  
 786 shall be deposited into the Incidental Trust Fund of the Florida  
 787 Forest Service; ~~and~~

788 (h) To require all state, regional, and local government  
 789 agencies operating aircraft in the vicinity of an ongoing

790 wildfire to operate in compliance with the applicable state  
 791 Wildfire Aviation Plan; and

792 (i) To authorize broadcast burning, prescribed burning,  
 793 pile burning, and land clearing debris burning to carry out the  
 794 duties of this chapter and the rules adopted thereunder.

795 (2) The Florida Forest Service's employees, and the  
 796 firefighting crews under their control and direction, may enter  
 797 upon any lands for the purpose of preventing, detecting, and  
 798 suppressing wildfires and investigating smoke complaints or open  
 799 burning not in compliance with authorization and to enforce the  
 800 provisions of this chapter.

801 (3) Employees of the Florida Forest Service and of  
 802 federal, state, and local agencies, and all other persons and  
 803 entities that are under contract or agreement with the Florida  
 804 Forest Service to assist in firefighting operations as well as  
 805 those entities, called upon by the Florida Forest Service to  
 806 assist in firefighting may, in the performance of their duties,  
 807 set counterfires, remove fences and other obstacles, dig  
 808 trenches, cut firelines, use water from public and private  
 809 sources, and carry on all other customary activities in the  
 810 fighting of wildfires without incurring liability to any person  
 811 or entity. The manner in which the Florida Forest Service  
 812 monitors a smoldering wildfire, smoldering prescribed fire, or  
 813  fights any wildfire are planning level activities for which  
 814 sovereign immunity applies and is not waived.

815 (7) The Florida Forest Service may organize, staff, equip,  
 816 and operate the Florida ~~Center for Wildfire and Forest Resources~~  
 817 ~~Management~~ Training Center. The center shall serve as a site

818 | where fire and forest resource managers can obtain current  
 819 | knowledge, techniques, skills, and theory as they relate to  
 820 | their respective disciplines.

821 | (a) The center may establish cooperative efforts involving  
 822 | federal, state, and local entities; hire appropriate personnel;  
 823 | and engage others by contract or agreement with or without  
 824 | compensation to assist in carrying out the training and  
 825 | operations of the center.

826 | (b) The center shall provide wildfire suppression training  
 827 | opportunities for rural fire departments, volunteer fire  
 828 | departments, and other local fire response units.

829 | (c) The center will focus on curriculum related to, but  
 830 | not limited to, fuel reduction, an incident management system,  
 831 | prescribed burning certification, multiple-use land management,  
 832 | water quality, forest health, environmental education, and  
 833 | wildfire suppression training for structural firefighters.

834 | (d) The center may assess appropriate fees for food,  
 835 | lodging, travel, course materials, and supplies in order to meet  
 836 | its operational costs and may grant free meals, room, and  
 837 | scholarships to persons and other entities in exchange for  
 838 | instructional assistance.

839 | ~~(e) An advisory committee consisting of the following~~  
 840 | ~~individuals or their designees must review program curriculum,~~  
 841 | ~~course content, and scheduling: the director of the Florida~~  
 842 | ~~Forest Service; the assistant director of the Florida Forest~~  
 843 | ~~Service; the director of the School of Forest Resources and~~  
 844 | ~~Conservation of the University of Florida; the director of the~~  
 845 | ~~Division of Recreation and Parks of the Department of~~

846 ~~Environmental Protection; the director of the Division of the~~  
 847 ~~State Fire Marshal; the director of the Florida Chapter of The~~  
 848 ~~Nature Conservancy; the executive vice president of the Florida~~  
 849 ~~Forestry Association; the president of the Florida Farm Bureau~~  
 850 ~~Federation; the executive director of the Fish and Wildlife~~  
 851 ~~Conservation Commission; the executive director of a water~~  
 852 ~~management district as appointed by the Commissioner of~~  
 853 ~~Agriculture; the supervisor of the National Forests in Florida;~~  
 854 ~~the president of the Florida Fire Chief's Association; and the~~  
 855 ~~executive director of the Tall Timbers Research Station.~~

856 (10) (a) Notwithstanding the provisions of s. 252.38, the  
 857 Florida Forest Service has exclusive authority to require and  
 858 issue authorizations for broadcast burning and agricultural and  
 859 silvicultural pile burning. An agency, commission, department,  
 860 county, municipality, or other political subdivision of the  
 861 state may not adopt or enforce laws, regulations, rules, or  
 862 policies pertaining to broadcast burning or agricultural and  
 863 silvicultural pile burning ~~unless an emergency order is declared~~  
 864 ~~in accordance with s. 252.38(3).~~

865 (b) The Florida Forest Service may delegate to a county,  
 866 ~~or~~ municipality, or special district its authority:7

867 1. As delegated by the Department of Environmental  
 868 Protection pursuant to ss. 403.061(28) and 403.081, to manage  
 869 and enforce regulations pertaining to ~~require and issue~~  
 870 ~~authorizations for the burning of yard trash and debris from~~  
 871 ~~land clearing operations~~ in accordance with s. 590.125(6).

872 2. To manage the open burning of land clearing debris in  
 873 accordance with s. 590.125.

874 Section 19. Subsection (1) of section 590.11, Florida  
 875 Statutes, is amended to read:

876 590.11 Recreational fires.—

877 (1) It is unlawful for any individual or group of  
 878 individuals to build a warming fire, bonfire, or campfire and  
 879 leave it unattended while visible flame, smoke, or emissions  
 880 exist unextinguished.

881 Section 20. Subsections (1) and (2), paragraphs (b) and  
 882 (c) of subsection (3), and paragraph (a) of subsection (4) of  
 883 section 590.125, Florida Statutes, are amended to read:

884 590.125 Open burning authorized by the Florida Forest  
 885 Service.—

886 (1) DEFINITIONS.—As used in this section, the term:

887 (a) "Certified pile burner" means an individual who  
 888 successfully completes the pile burning certification program of  
 889 the Florida Forest Service and possesses a valid pile burner  
 890 certification number.

891 (b) "Certified pile burning" means a pile burn conducted  
 892 in accordance with a written pile burning plan by a certified  
 893 pile burner.

894 (c) ~~(b)~~ "Certified prescribed burn manager" means an  
 895 individual who successfully completes the certified prescribed  
 896 burning program of the Florida Forest Service and possesses a  
 897 valid certification number.

898 (d) "Certified prescribed burning" means prescribed  
 899 burning in accordance with a written prescription conducted by a  
 900 certified prescribed burn manager.

901 (e) "Contained" means that fire and smoldering exist

902 entirely within established or natural firebreaks.

903 (f)-(e) "Completed" "Extinguished" means that for:

904 1. Broadcast burning, no continued lateral movement of  
 905 fire across the authorized area into entirely unburned fuels  
 906 ~~Wildland burning or certified prescribed burning, no spreading~~  
 907 ~~flames exist.~~

908 2. Certified pile ~~Vegetative land-clearing debris~~ burning  
 909 or pile burning, no visible flames exist.

910 3. Certified pile ~~Vegetative land-clearing debris~~ burning  
 911 or pile burning in an area designated as smoke sensitive by the  
 912 Florida Forest Service, no visible flames, smoke, or emissions  
 913 exist.

914 (g) "Gross negligence" means conduct so reckless or  
 915 wanting in care that it constitutes a conscious disregard or  
 916 indifference to the life, safety, or rights of persons exposed  
 917 to such conduct.

918 ~~(d) "Land-clearing operation" means the uprooting or~~  
 919 ~~clearing of vegetation in connection with the construction of~~  
 920 ~~buildings and rights-of-way, land development, and mineral~~  
 921 ~~operations. The term does not include the clearing of yard~~  
 922 ~~trash.~~

923 (h)-(e) "Pile burning" means the burning of silvicultural,  
 924 agricultural, ~~or~~ land-clearing, or ~~and~~ tree-cutting debris  
 925 originating onsite, which is stacked together in a round or  
 926 linear fashion, including, but not limited to, a windrow. Pile  
 927 burning authorized by the Florida Forest Service is a temporary  
 928 procedure, which operates on the same site for 6 months or less.

929 (i) "Pile burn plan" means a written plan establishing the

930 method of conducting a certified pile burn.

931 (j)~~(f)~~ "Prescribed burning" means the ~~controlled~~  
 932 application of fire by broadcast burning ~~in accordance with a~~  
 933 ~~written prescription~~ for vegetative fuels under specified  
 934 environmental conditions, while following appropriate  
 935 precautionary measures that ensure that the fire is contained  
 936 within ~~confined to~~ a predetermined area to accomplish the  
 937 planned fire or land management objectives.

938 (k)~~(g)~~ "Prescription" means a written plan establishing  
 939 the conditions and method for conducting ~~criteria necessary for~~  
 940 ~~starting, controlling, and extinguishing~~ a certified prescribed  
 941 burn.

942 (l) "Smoldering" means the continued consumption of fuels,  
 943 which may emit flames and smoke, after a fire is contained.

944 (m)~~(h)~~ "Yard trash" means vegetative matter resulting from  
 945 landscaping and yard maintenance operations and other such  
 946 routine property cleanup activities. The term includes materials  
 947 such as leaves, shrub trimmings, grass clippings, brush, and  
 948 palm fronds.

949 (2) NONCERTIFIED BURNING.—

950 (a) Persons may be authorized to broadcast burn or pile  
 951 ~~burn wild land or vegetative land-clearing debris~~ in accordance  
 952 with this subsection if:

- 953 1. There is specific consent of the landowner or his or  
 954 her designee;
- 955 2. Authorization has been obtained from the Florida Forest  
 956 Service or its designated agent before starting the burn;
- 957 3. There are adequate firebreaks at the burn site and

958 sufficient personnel and firefighting equipment for the  
 959 containment ~~control~~ of the fire;

960 4. The fire remains within the boundary of the authorized  
 961 area;

962 5. The person named responsible in the burn authorization  
 963 or a designee ~~An authorized person~~ is present at the burn site  
 964 until the fire is completed ~~extinguished~~;

965 6. The Florida Forest Service does not cancel the  
 966 authorization; and

967 7. The Florida Forest Service determines that air quality  
 968 and fire danger are favorable for safe burning.

969 (b) A person who broadcast burns or pile burns ~~wild land~~  
 970 ~~or vegetative land-clearing debris~~ in a manner that violates any  
 971 requirement of this subsection commits a misdemeanor of the  
 972 second degree, punishable as provided in s. 775.082 or s.  
 973 775.083.

974 (3) CERTIFIED PRESCRIBED BURNING; LEGISLATIVE FINDINGS AND  
 975 PURPOSE.—

976 (b) Certified prescribed burning pertains only to  
 977 broadcast burning for purposes of silviculture, wildland fire  
 978 hazard reduction, wildlife management, ecological maintenance  
 979 and restoration, and agriculture ~~range and pasture~~ management.  
 980 It must be conducted in accordance with this subsection and:

981 1. May be accomplished only when a certified prescribed  
 982 burn manager is present on site with a copy of the prescription  
 983 and directly supervises the certified prescribed burn until the  
 984 burn is completed, after which the certified prescribed burn  
 985 manager is not required to be present ~~from ignition of the burn~~

986 | ~~to its completion.~~

987 |         2. Requires that a written prescription be prepared before  
988 | receiving authorization to burn from the Florida Forest Service.

989 |         a. A new prescription or authorization is not required for  
990 | smoldering that occurs within the authorized burn area when no  
991 | new ignitions are conducted by the certified prescribed burn  
992 | manager.

993 |         b. Monitoring the smoldering activity of a certified  
994 | prescribed burn does not require a prescription or an additional  
995 | authorization even if flames begin to spread within the  
996 | authorized burn area due to ongoing smoldering.

997 |         3. Requires that the specific consent of the landowner or  
998 | his or her designee be obtained before requesting an  
999 | authorization.

1000 |         4. Requires that an authorization to burn be obtained from  
1001 | the Florida Forest Service before igniting the burn.

1002 |         5. Requires that there be adequate firebreaks at the burn  
1003 | site and sufficient personnel and firefighting equipment to  
1004 | contain ~~for the control of the fire~~ within the authorized burn  
1005 | area.

1006 |         a. Fire spreading outside the authorized burn area on the  
1007 | day of the certified prescribed burn ignition does not  
1008 | constitute conclusive proof of inadequate firebreaks,  
1009 | insufficient personnel, or a lack of firefighting equipment.

1010 |         b. During the authorization period, if the certified  
1011 | prescribed burn is contained within the authorized burn area, a  
1012 | strong rebuttable presumption shall exist that adequate  
1013 | firebreaks, sufficient personnel, and sufficient firefighting

1014 equipment were present.

1015 c. Continued smoldering of a certified prescribed burn  
 1016 resulting in a subsequent wildfire does not by itself constitute  
 1017 evidence of gross negligence under this section.

1018 6. Is considered to be in the public interest and does not  
 1019 constitute a public or private nuisance when conducted under  
 1020 applicable state air pollution statutes and rules.

1021 7. Is considered to be a property right of the property  
 1022 owner if vegetative fuels are burned as required in this  
 1023 subsection.

1024 (c) ~~Neither~~ A property owner, ~~nor~~ his or her agent,  
 1025 contractor, or legally authorized designee is not liable  
 1026 pursuant to s. 590.13 for damage or injury caused by the fire,  
 1027 including the reignition of a smoldering, previously contained  
 1028 burn, or resulting smoke or considered to be in violation of  
 1029 subsection (2) for burns conducted in accordance with this  
 1030 subsection, unless gross negligence is proven. The Florida  
 1031 Forest Service is not liable for burns for which it issues  
 1032 authorizations.

1033 (4) CERTIFIED PILE BURNING.—

1034 (a) Certified pile burning pertains to the disposal of  
 1035 piled, naturally occurring debris from an agricultural,  
 1036 silvicultural, ~~or temporary~~ land-clearing, or tree cutting  
 1037 debris originating on site operation. A land-clearing operation  
 1038 is temporary if it operates for 6 months or less. Certified pile  
 1039 burning must be conducted in accordance with the following:

1040 1. A certified pile burner must ensure, before ignition,  
 1041 that the piles are properly placed and that the content of the

1042 piles is conducive to efficient burning.

1043 2. A certified pile burner must ensure that the authorized  
 1044 burn is completed ~~piles are properly extinguished~~ no later than  
 1045 1 hour after sunset. If the burn is conducted in an area  
 1046 designated by the Florida Forest Service as smoke sensitive, a  
 1047 certified pile burner must ensure that the authorized burn is  
 1048 completed ~~piles are properly extinguished~~ at least 1 hour before  
 1049 sunset.

1050 3. A written pile burning plan must be prepared before  
 1051 receiving authorization from the Florida Forest Service to burn  
 1052 and must be on site and available for inspection by a department  
 1053 representative.

1054 4. The specific consent of the landowner or his or her  
 1055 agent must be obtained before requesting authorization to burn.

1056 5. An authorization to burn must be obtained from the  
 1057 Florida Forest Service or its designated agent before igniting  
 1058 the burn.

1059 6. There must be adequate firebreaks and sufficient  
 1060 personnel and firefighting equipment at the burn site to contain  
 1061 the burn to the piles authorized ~~control the fire~~.

1062 Section 21. Section 590.25, Florida Statutes, is amended  
 1063 to read:

1064 590.25 Penalty for ~~preventing or~~ obstructing the  
 1065 prevention, detection, or suppression ~~extinguishment~~ of  
 1066 wildfires.—Whoever interferes ~~shall interfere~~ with, obstructs  
 1067 ~~obstruct~~ or commits ~~commit~~ any act aimed to obstruct the  
 1068 prevention, detection, or suppression ~~extinguishment~~ of  
 1069 wildfires by the employees of the Florida Forest Service or any

1070 other person engaged in the prevention, detection, or  
 1071 suppression ~~extinguishment~~ of a wildfire, or who damages or  
 1072 destroys any equipment being used for such purpose, commits  
 1073 ~~shall be guilty of~~ a felony of the third degree, punishable as  
 1074 provided in s. 775.082, s. 775.083, or s. 775.084.

1075 Section 22. Chapter 595, Florida Statutes, is created,  
 1076 shall consist of sections 595.401-595.701, Florida Statutes, and  
 1077 shall be entitled "School Food and Nutrition Services."

1078 Section 23. Section 595.401, Florida Statutes, is created  
 1079 to read:

1080 595.401 Short title.—This chapter may be cited as the  
 1081 "Florida School Food and Nutrition Act."

1082 Section 24. Section 595.402, Florida Statutes, is created  
 1083 to read:

1084 595.402 Definitions.—As used in this chapter, the term:

1085 (1) "Commissioner" means the Commissioner of Agriculture.

1086 (2) "Department" means the Department of Agriculture and  
 1087 Consumer Services.

1088 (3) "Program" means any one or more of the school food and  
 1089 nutrition service programs that the department has  
 1090 responsibility over including, but not limited to, the National  
 1091 School Lunch Program, the Special Milk Program, the School  
 1092 Breakfast Program, the Summer Food Service Program, the Fresh  
 1093 Fruit and Vegetable Program, and any other program that relates  
 1094 to school nutrition.

1095 (4) "School district" means any of the 67 county school  
 1096 districts, including the respective district school board.

1097 (5) "Sponsor" means any entity that is conducting a

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1098 program under a current agreement with the department.

1099 Section 25. Section 595.403, Florida Statutes, is created  
1100 to read:

1101 595.403 State policy.—The Legislature, in recognition of  
1102 the demonstrated relationship between good nutrition and the  
1103 capacity of students to develop and learn, declares that it is  
1104 the policy of the state to provide standards for school food and  
1105 nutrition services and to require each school district to  
1106 establish and maintain an appropriate school food and nutrition  
1107 service program consistent with the nutritional needs of  
1108 students. To implement that policy, the state shall provide  
1109 funds to meet the state National School Lunch Act matching  
1110 requirements. The funds provided shall be distributed in such a  
1111 manner as to comply with the requirements of the National School  
1112 Lunch Act.

1113 Section 26. Section 570.98, Florida Statutes, is  
1114 transferred, renumbered as section 595.404, Florida Statutes,  
1115 and amended to read:

1116 595.404 ~~570.98~~ School food and nutrition service program;  
1117 ~~powers and duties of the department programs.~~—

1118 ~~(1)~~ The department has the following powers and duties:  
1119 ~~shall~~

1120 (1) To conduct, supervise, and administer the program ~~all~~  
1121 ~~school food and nutrition programs~~ that will be carried out  
1122 using federal or state funds, or funds from any other source.

1123 (2) To fully ~~The department shall~~ cooperate fully with the  
1124 United States Government and its agencies and instrumentalities  
1125 so that the department may receive the benefit of all federal

1126 financial allotments and assistance possible to carry out the  
 1127 purposes of this chapter.

1128 (3) To implement and adopt by rule, as required, federal  
 1129 regulations to maximize federal assistance for the program. ~~The~~  
 1130 ~~department may~~

1131 (4) To act as agent of, or contract with, the Federal  
 1132 Government, another state agency, ~~or~~ any county or municipal  
 1133 government, or sponsor for the administration of the program  
 1134 ~~school food and nutrition programs~~, including the distribution  
 1135 of funds provided by the Federal Government to support the  
 1136 program school food and nutrition programs.

1137 (5) To make a reasonable effort to ensure that any school  
 1138 designated as a "severe need school" receives the highest rate  
 1139 of reimbursement to which it is entitled under 42 U.S.C. s. 1773  
 1140 for each breakfast meal served.

1141 (6) To develop and propose legislation necessary to  
 1142 implement the program, encourage the development of innovative  
 1143 school food and nutrition services, and expand participation in  
 1144 the program.

1145 (7) To annually allocate among the sponsors, as  
 1146 applicable, funds provided from the school breakfast supplement  
 1147 in the General Appropriations Act based on each district's total  
 1148 number of free and reduced-price breakfast meals served.

1149 (8) To employ such persons as are necessary to perform its  
 1150 duties under this chapter.

1151 (9) To adopt rules covering the administration, operation,  
 1152 and enforcement of the program as well as to implement the  
 1153 provisions of this chapter.

1154           (10) To adopt and implement an appeal process by rule, as  
 1155 required by federal regulations, for applicants and participants  
 1156 under the program, notwithstanding s. 120.569 and ss. 120.57-  
 1157 120.595.

1158           (11) To assist, train, and review each sponsor in its  
 1159 implementation of the program.

1160           (12) To advance funds from the program's annual  
 1161 appropriation to sponsors, when requested, in order to implement  
 1162 the provisions of this chapter and in accordance with federal  
 1163 regulations.

1164           Section 27. Subsections (1) through (5) of section  
 1165 570.981, Florida Statutes, are transferred, renumbered as  
 1166 section 595.405, Florida Statutes, and amended to read:

1167           595.405 ~~570.981~~ Program requirements for school districts  
 1168 and sponsors food service programs.-

1169           ~~(1) In recognition of the demonstrated relationship~~  
 1170 ~~between good nutrition and the capacity of students to develop~~  
 1171 ~~and learn, it is the policy of the state to provide standards~~  
 1172 ~~for school food service and to require district school boards to~~  
 1173 ~~establish and maintain an appropriate private school food~~  
 1174 ~~service program consistent with the nutritional needs of~~  
 1175 ~~students.-~~

1176           ~~(2) The department shall adopt rules covering the~~  
 1177 ~~administration and operation of the school food service~~  
 1178 ~~programs.-~~

1179           (1) ~~(3)~~ Each school district ~~school board~~ shall consider  
 1180 the recommendations of the district school superintendent and  
 1181 adopt policies to provide for an appropriate food and nutrition

1182 service program for students consistent with federal law and  
 1183 department rules ~~rule~~.

1184 ~~(4) The state shall provide the state National School~~  
 1185 ~~Lunch Act matching requirements. The funds provided shall be~~  
 1186 ~~distributed in such a manner as to comply with the requirements~~  
 1187 ~~of the National School Lunch Act.~~

1188 (2)~~(5)~~~~(a)~~ Each school district ~~school board~~ shall  
 1189 implement school breakfast programs that make breakfast meals  
 1190 available to all students in each elementary school. Universal  
 1191 school breakfast programs shall be offered in schools in which  
 1192 80 percent or more of the students are eligible for free or  
 1193 reduced-price meals. Each school shall, to the maximum extent  
 1194 practicable, make breakfast meals available to students at an  
 1195 alternative site location, which may include, but need not be  
 1196 limited to, alternative breakfast options as described in  
 1197 publications of the Food and Nutrition Service of the United  
 1198 States Department of Agriculture for the federal School  
 1199 Breakfast Program.

1200 (3)~~(b)~~ Each school district must annually set prices for  
 1201 breakfast meals at rates that, combined with federal  
 1202 reimbursements and state allocations, are sufficient to defray  
 1203 costs of school breakfast programs without requiring allocations  
 1204 from the district's operating funds, except if the district  
 1205 school board approves lower rates.

1206 (4)~~(e)~~ Each school district ~~school board~~ is encouraged to  
 1207 provide universal-free school breakfast meals to all students in  
 1208 each elementary, middle, and high school. Each school district  
 1209 ~~school board~~ shall approve or disapprove a policy, after

1210 receiving public testimony concerning the proposed policy at two  
 1211 or more regular meetings, which makes universal-free school  
 1212 breakfast meals available to all students in each elementary,  
 1213 middle, and high school in which 80 percent or more of the  
 1214 students are eligible for free or reduced-price meals.

1215 (5)~~(d)~~ Each elementary, middle, and high school shall make  
 1216 a breakfast meal available if a student arrives at school on the  
 1217 ~~school~~ bus less than 15 minutes before the first bell rings and  
 1218 shall allow the student at least 15 minutes to eat the  
 1219 breakfast.

1220 (6)~~(e)~~ Each school district shall annually provide to all  
 1221 students in each elementary, middle, and high school information  
 1222 prepared by the district's food service administration regarding  
 1223 its school breakfast programs. The information shall be  
 1224 communicated through school announcements and written notices  
 1225 ~~notice~~ sent to all parents.

1226 (7)~~(f)~~ A school district ~~school board~~ may operate a  
 1227 breakfast program providing for food preparation at the school  
 1228 site or in central locations with distribution to designated  
 1229 satellite schools or any combination thereof.

1230 (8) Each sponsor shall complete all corrective action  
 1231 plans required by the department or a federal agency to be in  
 1232 compliance with the program.

1233 ~~(g) The commissioner shall make every reasonable effort to~~  
 1234 ~~ensure that any school designated as a "severe need school"~~  
 1235 ~~receives the highest rate of reimbursement to which it is~~  
 1236 ~~entitled under 42 U.S.C. s. 1773 for each breakfast meal served.~~

1237 ~~(h) The department shall annually allocate among the~~

1238 ~~school districts funds provided from the school breakfast~~  
 1239 ~~supplement in the General Appropriations Act based on each~~  
 1240 ~~district's total number of free and reduced price breakfast~~  
 1241 ~~meals served.~~

1242 Section 28. Subsection (6) of section 570.981, Florida  
 1243 Statutes, is transferred, renumbered as section 595.406, Florida  
 1244 Statutes, and amended to read:

1245 595.406 ~~570.981~~ Florida Farm Fresh Schools Program ~~School~~  
 1246 ~~food service programs.-~~

1247 ~~(6) The Legislature, recognizing that school children need~~  
 1248 ~~nutritious food not only for healthy physical and intellectual~~  
 1249 ~~development but also to combat diseases related to poor~~  
 1250 ~~nutrition and obesity, establishes the Florida Farm Fresh~~  
 1251 ~~Schools Program within the department. The program shall comply~~  
 1252 ~~with the regulations of the National School Lunch Program and~~  
 1253 ~~require:~~

1254 (1)(a) In order to implement the Florida Farm Fresh  
 1255 Schools Program, the department shall ~~to~~ develop policies  
 1256 pertaining to school food services which encourage:

1257 (a)1. Sponsors ~~School districts~~ to buy fresh and high-  
 1258 quality foods grown in this state when feasible.

1259 (b)2. Farmers in this state to sell their products to  
 1260 sponsors, school districts, and schools.

1261 (c)3. Sponsors ~~School districts and schools~~ to demonstrate  
 1262 a preference for competitively priced organic food products.

1263 (d)(b) Sponsors ~~School districts and schools~~ to make  
 1264 reasonable efforts to select foods based on a preference for  
 1265 those that have maximum nutritional content.

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1266            ~~(2)(e)~~ The department shall ~~to~~ provide outreach, guidance,  
 1267 and training to sponsors ~~school districts~~, schools, school food  
 1268 service directors, parent and teacher organizations, and  
 1269 students about the benefit ~~benefits~~ of fresh food products from  
 1270 farms in this state.

1271            Section 29. Section 570.982, Florida Statutes, is  
 1272 transferred, renumbered as section 595.407, Florida Statutes,  
 1273 and amended to read:

1274            595.407 ~~570.982~~ Children's summer nutrition program.—

1275            (1) This section may be cited as the "Ms. Willie Ann Glenn  
 1276 Act."

1277            (2) Each school district ~~school board~~ shall develop a plan  
 1278 to sponsor a summer nutrition program to operate sites in the  
 1279 school district as follows:

1280            (a) Within 5 miles of at least one elementary school at  
 1281 which 50 percent or more of the students are eligible for free  
 1282 or reduced-price school meals and for the duration of 35  
 1283 consecutive days. ~~and~~

1284            (b) ~~Except as operated pursuant to paragraph (a),~~ Within  
 1285 10 miles of each elementary school at which 50 percent or more  
 1286 of the students are eligible for free or reduced-price school  
 1287 meals, except as operated pursuant to paragraph (a).

1288            (3) (a) A school district ~~school board~~ may be exempt from  
 1289 sponsoring a summer nutrition program pursuant to this section.  
 1290 A school district ~~school board~~ seeking such exemption must  
 1291 include the issue on an agenda at a regular or special school  
 1292 district ~~school board~~ meeting that is publicly noticed, provide  
 1293 residents an opportunity to participate in the discussion, and

1294 | vote on whether to be exempt from this section. The school  
 1295 | district ~~school board~~ shall notify the department commissioner  
 1296 | within 10 days after it decides to become exempt from this  
 1297 | section.

1298 |       (b) Each year, the school district ~~school board~~ shall  
 1299 | reconsider its decision to be exempt from the provisions of this  
 1300 | section and shall vote on whether to continue the exemption from  
 1301 | sponsoring a summer nutrition program. The school district  
 1302 | ~~school board~~ shall notify the department commissioner within 10  
 1303 | days after each subsequent year's decision to continue the  
 1304 | exemption.

1305 |       (c) If a school district ~~school board~~ elects to be exempt  
 1306 | from sponsoring a summer nutrition program under this section,  
 1307 | the school district ~~school board~~ may encourage not-for-profit  
 1308 | entities to sponsor the program. If a not-for-profit entity  
 1309 | chooses to sponsor the summer nutrition program but fails to  
 1310 | perform with regard to the program, ~~the district school board,~~  
 1311 | the school district, and the department are not required to  
 1312 | continue the program and shall be held harmless from any  
 1313 | liability arising from the discontinuation of the summer  
 1314 | nutrition program.

1315 |       (4) The superintendent of schools may collaborate with  
 1316 | municipal and county governmental agencies and private, not-for-  
 1317 | profit leaders in implementing the plan. Although schools have  
 1318 | proven to be the optimal site for a summer nutrition program,  
 1319 | any not-for-profit entity may serve as a site or sponsor. By  
 1320 | April 15 of each year, each school district with a summer  
 1321 | nutrition program shall report to the department the district's

1322 summer nutrition program sites in compliance with this section.

1323 (5) The department shall provide to each school district  
 1324 ~~school board~~ by February 15 of each year a list of local  
 1325 organizations that have filed letters of intent to participate  
 1326 in the summer nutrition program in order that a school district  
 1327 ~~may school board is able to~~ determine how many sites are needed  
 1328 to serve the children and where to place each site.

1329 Section 30. Section 595.408, Florida Statutes, is created  
 1330 to read:

1331 595.408 Commodity distribution services; department  
 1332 responsibilities and functions.-

1333 (1) (a) The department shall conduct, supervise, and  
 1334 administer all commodity distribution services that will be  
 1335 carried on using federal or state funds, or funds from any other  
 1336 source, or commodities received and distributed from the United  
 1337 States or any of its agencies.

1338 (b) The department shall determine the benefits each  
 1339 applicant or recipient of assistance is entitled to receive  
 1340 under this chapter, provided that each applicant or recipient is  
 1341 a resident of this state and a citizen of the United States or  
 1342 is an alien lawfully admitted for permanent residence or  
 1343 otherwise permanently residing in the United State under color  
 1344 of law.

1345 (2) The department shall cooperate fully with the United  
 1346 States Government and its agencies and instrumentalities so that  
 1347 the department may receive the benefit of all federal financial  
 1348 allotments and assistance possible to carry out the purposes of  
 1349 this chapter.

1350           (3) The department may:  
 1351           (a) Accept any duties with respect to commodity  
 1352 distribution services as are delegated to it by an agency of the  
 1353 federal government or any state, county, or municipal  
 1354 government.

1355           (b) Act as agent of, or contract with, the federal  
 1356 government, state government, or any county or municipal  
 1357 government in the administration of commodity distribution  
 1358 services to secure the benefits of any public assistance that is  
 1359 available from the federal government or any of its agencies,  
 1360 and in the distribution of funds received from the federal  
 1361 government, state government, or any county or municipal  
 1362 government for commodity distribution services within the state.

1363           (c) Accept from any person or organization all offers of  
 1364 personal services, commodities, or other aid or assistance.

1365           (4) This chapter does not limit, abrogate, or abridge the  
 1366 power and duties of any other state agency.

1367           Section 31. Section 595.501, Florida Statutes, is created  
 1368 to read:

1369           595.501 Penalties.-Any person, sponsor, or school district  
 1370 that violates any provision of this chapter or any rule adopted  
 1371 thereunder or otherwise does not comply with the program is  
 1372 subject to a suspension or revocation of their agreement, loss  
 1373 of reimbursement, or a financial penalty in accordance with  
 1374 federal or state law or both. This section does not restrict the  
 1375 applicability of any other law.

1376           Section 32. Section 570.983, Florida Statutes, is  
 1377 transferred, renumbered as section 595.601, Florida Statutes,

1378 and amended to read:

1379 595.601 ~~570.983~~ Food and Nutrition Services Trust Fund.—  
 1380 Chapter 99-37, Laws of Florida, recreated the Food and Nutrition  
 1381 Services Trust Fund to record revenue and disbursements of  
 1382 Federal Food and Nutrition funds received by the department as  
 1383 authorized in s. 595.405 ~~570.981~~.

1384 Section 33. Section 570.984, Florida Statutes, is  
 1385 transferred and renumbered as section 595.701, Florida Statutes,  
 1386 to read:

1387 595.701 ~~570.984~~ Healthy Schools for Healthy Lives  
 1388 Council.—

1389 (1) There is created within the Department of Agriculture  
 1390 and Consumer Services the Healthy Schools for Healthy Lives  
 1391 Council, which shall consist of 11 members appointed by the  
 1392 Commissioner of Agriculture. The council shall advise the  
 1393 department on matters relating to nutritional standards and the  
 1394 prevention of childhood obesity, nutrition education,  
 1395 anaphylaxis, and other needs to further the development of the  
 1396 various school nutrition programs.

1397 (2) The meetings, powers, duties, procedures, and  
 1398 recordkeeping of the Healthy Schools for Healthy Lives Council  
 1399 shall be governed by s. 570.0705, relating to advisory  
 1400 committees established within the department.

1401 Section 34. Subsection (16) of section 1001.42, Florida  
 1402 Statutes, is amended to read:

1403 1001.42 Powers and duties of district school board.—The  
 1404 district school board, acting as a board, shall exercise all  
 1405 powers and perform all duties listed below:

1406 (16) SCHOOL LUNCH PROGRAM.—Assume such responsibilities  
 1407 and exercise such powers and perform such duties as may be  
 1408 assigned to it by law or as may be required by rules of the  
 1409 Department of Agriculture and Consumer Services ~~State Board of~~  
 1410 ~~Education~~ or, as in the opinion of the district school board,  
 1411 are necessary to ensure school lunch services, consistent with  
 1412 needs of students; effective and efficient operation of the  
 1413 program; and the proper articulation of the school lunch program  
 1414 with other phases of education in the district.

1415 Section 35. Subsection (1) of section 1003.453, Florida  
 1416 Statutes, is amended to read:

1417 1003.453 School wellness and physical education policies;  
 1418 nutrition guidelines.—

1419 (1) Each school district shall electronically submit ~~to~~  
 1420 ~~the Department of Education a copy of its~~ local school wellness  
 1421 policy to the Department of Agriculture and Consumer Services ~~as~~  
 1422 ~~required by the Child Nutrition and WIC Reauthorization Act of~~  
 1423 ~~2004 and a copy of its~~ physical education policy required under  
 1424 s. 1003.455 to the Department of Education. Each school district  
 1425 shall annually review its local school wellness policy and  
 1426 physical education policy and provide a procedure for public  
 1427 input and revisions. In addition, each school district shall  
 1428 provide its revised local school ~~send an updated copy of its~~  
 1429 wellness policy and revised physical education policy to the  
 1430 applicable department ~~and to the Department of Agriculture and~~  
 1431 ~~Consumer Services~~ when a change or revision is made.

1432 Section 36. Sections 487.0615, 570.382, 570.97, and  
 1433 590.50, Florida Statutes, are repealed.

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1434 Section 37. Subsection (5) of section 487.041, Florida  
 1435 Statutes, is amended to read:

1436 487.041 Registration.—

1437 ~~(5) The department shall provide summary information to~~  
 1438 ~~the Pesticide Review Council regarding applications for~~  
 1439 ~~registration of those pesticides for which data received in the~~  
 1440 ~~registration process indicate that the pesticide, when used~~  
 1441 ~~according to label instructions and precautions, may have a~~  
 1442 ~~significant potential for adverse effects on human health or the~~  
 1443 ~~environment. The council shall be kept apprised of the status of~~  
 1444 ~~these applications while under review and of the final action by~~  
 1445 ~~the Commissioner of Agriculture regarding the registration of~~  
 1446 ~~these pesticides.~~

1447 Section 38. Paragraph (b) of subsection (8) of section  
 1448 550.2625, Florida Statutes, is amended to read:

1449 550.2625 Horseracing; minimum purse requirement, Florida  
 1450 breeders' and owners' awards.—

1451 (8)

1452 ~~(b) The division shall deposit these collections to the~~  
 1453 ~~credit of the General Inspection Trust Fund in a special account~~  
 1454 ~~to be known as the "Florida Arabian Horse Racing Promotion~~  
 1455 ~~Account." The Department of Agriculture and Consumer Services~~  
 1456 ~~shall administer the funds and adopt suitable and reasonable~~  
 1457 ~~rules for the administration thereof. The moneys in the Florida~~  
 1458 ~~Arabian Horse Racing Promotion Account shall be allocated solely~~  
 1459 ~~for supplementing and augmenting purses and prizes and for the~~  
 1460 ~~general promotion of owning and breeding of racing Arabian~~  
 1461 ~~horses in this state; and the moneys may not be used to defray~~

1462 | ~~any expense of the Department of Agriculture and Consumer~~  
 1463 | ~~Services in the administration of this chapter, except that the~~  
 1464 | ~~moneys generated by Arabian horse registration fees received~~  
 1465 | ~~pursuant to s. 570.382 may be used as provided in paragraph~~  
 1466 | ~~(5) (b) of that section.~~

1467 | Section 39. Paragraphs (b) and (c) of subsection (2) of  
 1468 | section 550.2633, Florida Statutes, are amended to read:

1469 | 550.2633 Horseracing; distribution of abandoned interest  
 1470 | in or contributions to pari-mutuel pools.—

1471 | (2) All moneys or other property which has escheated to  
 1472 | and become the property of the state as provided herein and  
 1473 | which is held by a permitholder authorized to conduct pari-  
 1474 | mutuel pools in this state shall be paid annually by the  
 1475 | permitholder to the recipient designated in this subsection  
 1476 | within 60 days after the close of the race meeting of the  
 1477 | permitholder. Section 550.1645 notwithstanding, the moneys shall  
 1478 | be paid by the permitholder as follows:

1479 | (b) ~~Except as provided in paragraph (c),~~ Funds from  
 1480 | quarter horse races shall be paid to the Florida Quarter Horse  
 1481 | Breeders and Owners Association and shall be allocated solely  
 1482 | for supplementing and augmenting purses and prizes and for the  
 1483 | general promotion of owning and breeding of racing quarter  
 1484 | horses in this state, as provided for in s. 550.2625.

1485 | ~~(c) Funds for Arabian horse races conducted under a~~  
 1486 | ~~quarter horse racing permit shall be deposited into the General~~  
 1487 | ~~Inspection Trust Fund in a special account to be known as the~~  
 1488 | ~~"Florida Arabian Horse Racing Promotion Account" and shall be~~  
 1489 | ~~used for the payment of breeders' awards and stallion awards as~~

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1490 ~~provided for in s. 570.382.~~

1491       Section 40. In order to effectuate the repeal of s.  
 1492 570.97, Florida Statutes, and to honor the wishes of the donor,  
 1493 for the 2013-2014 fiscal year, the sum of \$59,239 in  
 1494 nonrecurring funds is appropriated to the Department of  
 1495 Agriculture and Consumer Services in the expenses appropriation  
 1496 category for deposit in the General Inspection Trust Fund to be  
 1497 used by the Division of Animal Industry for disbursement to  
 1498 Florida Animal Friend, Inc.

1499       Section 41. This act shall take effect upon becoming a  
 1500 law.